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10/089,456	05/24/2002	Henrik Chistiansen	PATRADE	9385

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EXAMINER

HINZE, LEO T

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/089,456

Applicant(s)

CHISTIANSEN, HENRIK

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is not clear how the at least one transfer roller of line 5 could transfer water from the doctor blade of line 6. A doctor blade, given its broadest possible definition in the art, is a structure which removes or meters ink, water, or other coating material from/on a roller, and is also known as a knife or wiper blade. As such, it is not clear how the doctor blade can contain coating or water, nor how a roller would be used for transferring coating or water from the doctor blade.

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4. Regarding claim 4, the lack of a transition phrase makes it appear as if the claim is limiting the coating and water application unit to be only a transfer roller without a doctor blade, whereas claim 3 defines the coating and water application unit as comprising a doctor blade and at least one transfer roller. A dependent claim must include all of the limitations of its independent parent claim. See MPEP § 608.01(n) IV.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer, US 4,421,027 in view of Johne et al, GB 2 119 711 A.

Fischer teaches a method for operating a printing unit in an offset machine in which the printing unit comprises a doctor blade used as a coating unit (11) used for coating and as a moistening unit for applying water (col. 1, lines 42-54), wherein the unit is displaced between a first position for transferring water via a plate cylinder to a blanket cylinder (Fig. 1) and a second position for transferring coating directly to the blanket cylinder (Fig. 3).

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Fischer does not teach a printing unit which comprises a doctor blade used for coating and as a moistening unit for applying water. Fischer instead uses a trough (12) and ductor roller (13) to transfer the applied medium.

Johne teaches a printing unit which comprises a doctor blade (12) used for coating and as a moistening unit for applying water. Johnne also teaches that a doctor blade in combination with a screen roller (1) assures that sufficient moistening agent of printing lacquer can always be transferred (p. 2, lines 1-3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fischer to replace the trough and ductor roller with a unit which comprises a doctor blade used for coating and as a moistening unit for applying water, because Johnne teaches that such a combination is advantageous for assuring that sufficient moistening agent of printing lacquer can always be transferred.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Johnne, as applied to claim 1 above, and further in view of Stapleford, GB 1 138 055.

The combination of Fischer and Johnne substantially teaches all that is claimed as discussed above, except wherein the displacement is a pivoting about an axis in parallel with the rotational axis of the plate cylinder and the blanket cylinder.

Stapleford teaches a dampening system (15) which is movable to apply medium to either the plate (10) or blanket (11) cylinder, said movement being a pivoting movement (p. 2, lines 8-12).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify Fischer so that the displacement is a pivoting, because Stapleford teaches that a pivoting movement is a well known method of moving a dampening unit between printing and blanket cylinders, and one having ordinary skill in the art would recognize the pivoting movement of Stapleford as an acceptable alternative to the movement of Fischer.

8. Claims 3, 5, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Johne and Kiyoshi, JP 59209875.

Fischer teaches:

- a printing unit for use in a method according to claim 1 in an offset machine, comprising means for coating and means for applying water, and where the coating means and the water application means are constituted by a coating and water application unit (11) comprising at least one transfer roller (13) for transferring coating or water (col. 1, lines 42-54), wherein the coating and water application unit is arranged movably between a first position (Fig. 1) for bringing said at least one roller in contact with the plate cylinder, and a second position (Fig. 3) for bringing said at least one roller in direct contact with the blanket cylinder of the printing unit, as discussed in the above rejection of claim 1 (claim 3);
- wherein the coating and water application unit is provided with coupling means (16, 37) which are arranged for being connected releasably with coupling means (32, 33) in the frame of the offset machine (claim 7);

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- wherein the transfer roller is driven by its own motor (29) (claim 8);
- wherein the coating and water application unit comprising the at least one roller is mounted in the offset machine in an exchangeable way with the existing moistening unit of the offset machine (col. 1, lines 55-64) (claim 9);
- wherein said coupling means (16, 37, 32, 33, Fig.1) in the frame is coupling means for a cleaning unit known per se for the plate cylinder (claim 10).

Fischer does not teach:

- where the coating means and the water application means are constituted by a unit comprising a doctor blade, and a first position for bringing said at least one roller in contact with a roller engaging the plate cylinder. Fischer instead uses a trough (12) and doctor roller (13) to transfer the applied medium (claim 3).
- wherein the coating means comprises transfer rollers in the form of a screen roller and a rubber roller for transferring water from the doctor blade to the plate cylinder and one screen roller for transferring coating directly to the blanket cylinder (claim 5).

Johne teaches:

- where the coating means and the water application means are constituted by a unit comprising a doctor blade (12) (claim 3);
- that a doctor blade in combination with a screen roller (1) assures that sufficient moistening agent of printing lacquer can always be transferred (p. 2, lines 1-3).

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- wherein the coating means comprises transfer rollers in the form of a screen roller (1) and a rubber roller (5, 5') for transferring water from the doctor blade to the plate cylinder and one screen roller for transferring coating to the blanket cylinder (claim 5).

Kiyoshi teaches a combined dampening and varnishing device including:

- a first position (Fig. 7B) for bringing said at least one roller (39, 52, and 66) in contact with a roller (79) engaging the plate cylinder (claim 3).

Regarding claims 3 and 5, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fischer to replace the trough and doctor roller with a unit which comprises a doctor blade used for coating and as a moistening unit for applying water, and wherein the coating means comprises transfer rollers in the form of a screen roller and a rubber roller for transferring water from the doctor blade to the plate cylinder and one screen roller for transferring coating directly to the blanket cylinder, because Johne teaches that such a combination is advantageous for assuring that sufficient moistening agent of printing lacquer can always be transferred.

Further regarding claim 3, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fischer to include a first position for bringing said at least one roller in contact with a roller engaging the plate cylinder, because Kiyoshi teaches that this is advantageous, in that it allows a hard roller to run on the soft blanket cylinder, and an additional rubber roller to be placed between the hard roller and the hard plate cylinder.

Regarding claims 7-10, the combination of Fischer, Johne, and Kiyoshi teaches all that is claimed as discussed above.

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9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Johnne and Kiyoshi as applied to claim 3 above, and further in view of Schütz, GB 2 327 196 A.

The combination of Fischer, Johnne, and Kiyoshi teaches all that is claimed as discussed in the rejection of claim 3, except wherein the coating and water application unit is one transfer roller in the shape of a screen roller transferring coating directly from the doctor blade to the blanket cylinder.

Schütz teaches a varnishing unit wherein the coating means only comprises one transfer roller (9) in the shape of a screen roller transferring coating directly from the doctor blade (10) to the blanket cylinder. Schütz teaches that such a coating means is advantageous because it requires a small amount of space (p. 5, lines 17-18).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify Fischer wherein the coating means only comprises one transfer roller in the shape of a screen roller transferring coating directly from the doctor blade to the blanket cylinder, because Schütz teaches that such a coating means requires a small amount of space.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Johnne and Kiyoshi as applied to claim 3 above, and further in view of Stapleford.

The combination of Fischer, Johnne, and Kiyoshi teaches all that is claimed as discussed in the above rejections of claim 3, except wherein the coating and water application unit is mounted pivotably in relation to the plate cylinder and the blanket cylinder.

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Stapleford teaches a dampening system (15) which is movable to apply medium to either the plate (10) or blanket (11) cylinder, said movement being a pivoting movement (p. 2, lines 8-12).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify Fischer so that the displacement is a pivoting, because Stapleford teaches that a pivoting movement is a well known method of moving a dampening unit between printing and blanket cylinders, and one having ordinary skill in the art would recognize the pivoting movement of Stapleford as an acceptable alternative to the movement of Fischer.

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Johne and Kiyoshi as applied to claim 3 above, and further in view of Aylor et al., US 4,741,269.

The combination of Fischer, Johne, and Kiyoshi teaches all that is claimed as discussed in the rejection of claims 3 and 8 above, except wherein said motor is a motor controlled by a line signal from the main machine.

Aylor teaches a dampening apparatus which includes a transfer roller (58, Fig. 2) driven by its own motor (88), where the speed of the transfer roller is selectively controlled (col. 1, line 25) to precisely control the amount of dampening solution which is metered (col. 1, lines 61-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify Fischer to control a motor that drives the transfer roller,

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because Aylor teaches that this is advantageous for precisely controlling the amount of dampening solution which is metered.

Response to Arguments

12. In response to applicant's argument that Johne does not describe or teach a doctor blade, but instead teaches a wiper, the examiner disagrees, as Johne clearly teaches a doctor blade (12). A doctor blade, given its broadest possible definition in the art, is a structure which removes or meters ink, water, or other coating material from/on a roller, and is also known as a knife or wiper blade. Despite arguing that Johne does not describe, teach, nor suggest a doctor blade, applicant's preliminary amendment received 1 April 2002, on page 2 states that GB 2 119 711 "discloses a stationary fountain comprising a doctor blade." As Johne clearly teaches a doctor blade, the examiner asserts that the rejections as set forth in the previous office action and maintained in this office action establish a prima facie case of obviousness.

13. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a doctor blade comprising a chamber, page 6, line 23 of applicant's remarks) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

14. Applicant should note that the assertion that claims 3-11 are dependent upon claim 1 (page 7, lines 18-19) is incorrect as claim 3 is interpreted as an independent claim by the examiner as discussed in the Claim Objections section of this action.

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Conclusion

15. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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